

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JEFFREY L. DAVENPORT,

Plaintiff,

Case No. 1:10-cv-217

v.

Hon. Robert J. Jonker

YATES TOWNSHIP FIRE DEPARTMENT,

Defendant.

ORDER

Pending before the court are the combined motions by the defendant to strike and for a more definite statement (docket no. 2). Plaintiff is proceeding without counsel. For the reasons more fully stated on the record at the hearing held this date, the motion for a more definite statement is **GRANTED**, and plaintiff shall file a wholly new amended complaint, if at all, within 90 days of the date of this order. The new complaint shall adhere to the rules governing the preparation of pleadings found in the Federal Rules of Civil Procedure (e.g., Rules 8, 10 and 11) as well as the local rules of the court. In the event an amended complaint is not filed within the time prescribed, the pending complaint shall be stricken and the case dismissed without prejudice. Rule 12(e).

Further, this order having rendered the motion to strike moot, said motion is **DENIED**, without prejudice.

IT IS SO ORDERED.

Dated: April 27, 2010

/s/ Hugh W. Brenneman, Jr.
HUGH W. BRENNEMAN, JR.
United States Magistrate Judge